



A BILL FOR AN ORDINANCE

RELATING TO PUBLIC PARKS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to address commercial activities at certain city beach parks.

SECTION 2. Section 10-1.1, Revised Ordinances of Honolulu 1990, as amended ("Definitions"), is amended by amending the definition for "commercial activity" to read as follows:

""Commercial activity" means a use or purpose designed for profit, which includes but is not limited to the exchange or buying and selling of commodities; the providing of services relating to or connected with trade, traffic or commerce in general; any activity performed by the commercial operator or its employees or agents in connection with the delivery of such commodities or services; and the soliciting of business, including the display or distribution of notices, business cards, or advertisements for commercial promotional purposes. Notwithstanding the foregoing, the following are not considered commercial activities: [The] (1) the use of land for utilities[, and]; (2) the use of the premises and facilities for official canoe regattas[.]; and (3) the use of the premises and facilities at Waimanalo Bay Beach Park and Waimanalo Beach Park for music festivals, country fairs, educational events, and farmer's markets [shall not be considered a commercial activity]."

SECTION 3. Section 10-1.2 Revised Ordinances of Honolulu 1990 ("Park rules and regulations") is amended by amending subsections (h) and (i) to read as follows:

- "(h) Commercial activities, including recreational stops by tour companies, shall not be allowed at any time at Kailua Beach Park, [and] Kalama Beach Park, Waimanalo Bay Beach Park, Waimanalo Beach Park, Kaiona Beach Park, Kaupo Beach Park and Makapuu Beach Park, except as otherwise provided in this chapter for commercial filming activities.
- (i) Commercial activities, including recreational stops by tour companies, shall not be allowed at any time at city owned or operated beach rights-of-way and easements from Lanikai to Kapoho Point (Castle Point)[.] and from Makapuu Point to and including Waimanalo Bay Beach Park."



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SECTION 4. Section 10-3.2 Revised Ordinances of Honolulu 1990 ("Commercial filming activities") is amended by amending subsections (c) to read as follows:

- "(c) Commercial filming activities at Kailua Beach Park, [and] Kalama Beach Park, Waimanalo Bay Beach Park, Waimanalo Beach Park, Kaiona Beach Park, Kaupo Beach Park and Makapuu Beach Park may take place from 1:00 p.m. on Saturdays through 6:30 a.m. on Mondays, provided all permit requirements are satisfied."

SECTION 5. Ordinance material to be repealed is bracketed. New ordinance material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material, or the underscoring.



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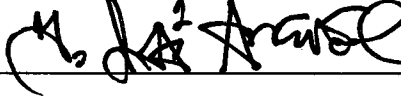
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SECTION 6. This ordinance takes effect upon its approval; provided that any permit issued prior to the effective date of this ordinance allowing commercial activity to take place at a park affected by this ordinance shall continue to be valid until the permit expires.

INTRODUCED BY:



DATE OF INTRODUCTION:

FEB 11 2015

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

KIRK CALDWELL, Mayor
City and County of Honolulu